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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/684,469

10/15/2003

Hitoshi Saito

SON-2836

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10/31/2006

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EXAMINER

RENNER, CRAIG A

ART UNIT

PAPER NUMBER

2627

DATE MAILED: 10/31/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/684,469

Applicant(s)

SAITO, HITOSHI

Examiner

Craig A. Renner

Art Unit

2627

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 October 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 and 2 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1 and 2 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 13 October 2006 has been entered.

Specification

2. The disclosure is objected to because of the following informalities:
- a. In line 1 of claim 2, "The recording medium drive" should be changed to --The recording medium drive apparatus-- in order to more clearly refer back to that set forth in line 1 of independent claim 1.
 - b. In line 2 of claim 2, "of front panel" should be corrected to read --of a front panel--.

Appropriate correction is required.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claim 2 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In line 6 of claim 2, it is indefinite as to whether each instance of "said engaging projection" refers to that set forth in lines 20-21 of independent claim 1, or that set forth in lines 3-4 of claim 2.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1 and 2 are rejected under 35 U.S.C. 103(a) as being unpatentable over Suganuma et al. (JP 08-255396) in view of Suzuki (JP 07-029279).

Suganuma teaches a recording media drive apparatus comprising a body (8); a front panel (21), covering the front of the body and having an insertion/removal opening (22) for inserting and removing recording media (1) to and from the body; a slider (24),

provided within the body, for inducing an eject motion for ejecting the recording media installed within the body from the insertion/removal opening as a result of pushing from the front; and an eject button (24-2) projecting forwards from the front panel and operable to move with the slider, wherein the front panel is supported in a detachable manner as a result of front panel engagement with the body (paragraph [0033], for instance), and the front panel engagement is achieved by moving the front panel towards the body, and a force to move the front panel in a direction away from the body acts in a direction releasing the front panel engagement (paragraph [0033], for instance) [as per claim 1]; wherein the front panel engagement is achieved by mutual engagement of a front panel engaging hole (31) provided at one of the front panel and the body and a front panel engaging projection (32-2) provided at the remaining one of the front panel and the body, and a front panel inclined surface is formed at the front panel engaging projection or at an edge of an opening of the front panel engaging hole (as shown in FIG. 6, for instance) so as to cause the front panel engaging projection or the front panel engaging hole to move in a direction away from the front panel engaging hole or the front panel engaging projection as a result of applying force to cause the front panel to move in a direction away from the body (paragraph [0033], for instance) [as per claim 2]. Suganuma, however, remains silent as to eject button engagement of the eject button with the slider being "achieved as a result of causing said eject button to move towards said slider, and a force causing said eject button to move in a direction away from said slider acts in a direction releasing said eject button engagement, said eject button engagement is achieved by mutual engagement of an eject button

engaging hole provided at one of said eject button and said slider and an eject button engaging projection provided at the remaining one of said eject button and said slider, and an eject button inclined surface is formed at said eject button engaging projection or an edge of an opening of said eject button engaging hole so as to cause said eject button engaging projection or said eject button engaging hole to move in a direction away from said eject button engaging hole or said eject button engaging projection as a result of applying force to cause said eject button to move in a direction away from said slider.”

Suzuki teaches an eject button (40) being fitted in a detachable manner as a result of eject button engagement with a slider (lines 3-4 in the “CONSTITUTION”, for instance), wherein the eject button engagement is achieved as a result of causing the eject button to move towards the slider, and a force causing the eject button to move in a direction away from the slider acts in a direction releasing the eject button engagement, the eject button engagement is achieved by mutual engagement of an eject button engaging hole (45) provided at one of the eject button and the slider and an eject button engaging projection (29) provided at the remaining one of the eject button and the slider, and an eject button inclined surface (see Exhibit A of FIG. 2A provided in the office action filed 21 July 2006) is formed at the eject button engaging projection or an edge of an opening of the eject button engaging hole (as shown in FIGS. 2-3, for instance, i.e., the eject button engaging projection) so as to cause the eject button engaging projection or the eject button engaging hole to move in a direction away from the eject button engaging hole or the eject button engaging projection as a result of

applying force to cause the eject button to move in a direction away from the slider (lines 3-4 in the "CONSTITUTION", for instance), in the same field of endeavor for the purpose of enabling eject button replacement. It would have been obvious to a person having ordinary skill in the art at the time the invention was made to have had the eject button of Suganuma be fitted in a detachable manner as a result of eject button engagement with a slider, wherein the eject button engagement is achieved as a result of causing the eject button to move towards the slider, and a force causing the eject button to move in a direction away from the slider acts in a direction releasing the eject button engagement, the eject button engagement is achieved by mutual engagement of an eject button engaging hole provided at one of the eject button and the slider and an eject button engaging projection provided at the remaining one of the eject button and the slider, and an eject button inclined surface is formed at the eject button engaging projection or an edge of an opening of the eject button engaging hole so as to cause the eject button engaging projection or the eject button engaging hole to move in a direction away from the eject button engaging hole or the eject button engaging projection as a result of applying force to cause the eject button to move in a direction away from the slider, as taught by Suzuki. The rationale is as follows:

One of ordinary skill in the art would have been motivated to have had the eject button of Suganuma be fitted in a detachable manner as a result of eject button engagement with a slider, wherein the eject button engagement is achieved as a result of causing the eject button to move towards the slider, and a force causing the eject button to move in a direction away from the slider acts in a direction releasing the eject

button engagement, the eject button engagement is achieved by mutual engagement of an eject button engaging hole provided at one of the eject button and the slider and an eject button engaging projection provided at the remaining one of the eject button and the slider, and an eject button inclined surface is formed at the eject button engaging projection or an edge of an opening of the eject button engaging hole so as to cause the eject button engaging projection or the eject button engaging hole to move in a direction away from the eject button engaging hole or the eject button engaging projection as a result of applying force to cause the eject button to move in a direction away from the slider, as taught by Suzuki, since such enables ejection button replacement.

Response to Arguments

7. Applicant's arguments filed 29 August 2006 have been fully considered but they are not persuasive.

The applicant argues that "none of the applied art, alone or in combination, teaches or suggests an eject button inclined surface is formed at the eject button engaging projection or an edge of an opening of the eject button engaging hole so as to cause the eject button engaging projection or the eject button engaging hole to move in a direction away from the eject button engaging hole or the eject button engaging projection as a result of applying force to cause the eject button to move in a direction away from the slider." This argument, however, is not found to be persuasive as Suzuki does teach that an eject button inclined surface (see Exhibit A of FIG. 2A provided in the office action filed 21 July 2006) is formed at an eject button engaging projection (29)

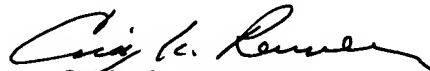
(as shown in FIGS. 2-3, for instance) so as to cause the eject button engaging projection or an eject button engaging hole (45) to move in a direction away from the eject button engaging hole or the eject button engaging projection as a result of applying force to cause the eject button to move in a direction away from the slider (lines 3-4 in the "CONSTITUTION", for instance).

Conclusion

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Craig A. Renner whose telephone number is (571) 272-7580. The examiner can normally be reached on Monday-Tuesday & Thursday-Friday 9:00 AM - 7:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hoa T. Nguyen can be reached on (571) 272-7579. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Craig A. Renner
Primary Examiner
Art Unit 2627

CAR